



Transporter

Civil Rights Office Newsletter

Special Edition July–Dec 2008, Volume VIII, Issue 2

What is a DBE?

A DBE is a small, for profit business concern that is at least 51% owned and controlled by socially and economically disadvantaged individuals. The US Department of Transportation (USDOT) DBE Program is designed to foster equal opportunity for minority, female and disadvantaged business owners on federal –aid transportation projects, and for helping them improved their business efficiency and flexibility.

This quarterly newsletter is published by the AKDOT & PF Civil Rights Offices –DBE Support Services as an informational and educational resource for DBE's, contractors, consultants and federal-aid-agencies on EEO, procurement and business issues. If you like to receive this new letter regularly, or would like to submit an article, please contact us.

Norma M Lucero, Editor

Our Customer Service Commitment:

At the AK DOT & PF Civil Rights Office we pledge to provide you with *“the highest quality service delivered with a sense of friendliness, professionalism and individual pride.”*

We want you to know that we are working hard to bring you support services that enhance and increase the percentage of FHWA DBE work.

We want you to the confidence that we strive to bring you valued resources and constantly looking to our business partners to meet our goals.

This is our commitment to you. For those of you who took the time to renew your status and our new DBE's we thank you and look forward to working with you.

New Year Brings New Endeavors, Opportunities & Free Money!

You read right! As a DBE we have reimbursable programs under Support Services Program. Our DBE Reimbursement Program assist you to cover cost of training, consultation and/or association fees and dues that enhances the management or expertise of your DBE. A 50% reimbursement program is available to individuals of the qualifying DBE firms. Under this program firms may be reimbursed for 50% of tuition or others (up to \$1000.00 per calendar year) for business or technical training workshops, consulting services, and professional association fee/dues. For additional information go to our website at www.dot.state.ak.us/cvrlrts or call us at 907-269-0851 / 1-800-770-8255 (within Alaska).

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It is the policy of the Alaska Department of Transportation to ensure compliance with Title VI of the Civil Rights Act of 1964; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex, age, disability or national origin.



Transporter is a publication of the Alaska Department of Transportation & Public Facilities
Civil Rights Office

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“Map to Success” Specialized Assistance Program

New to the CRO Office!

In 2008 the CRO office received a grant to launch a first of its kind program “Map to Success” Specialized Assistance Program. The purpose of this program is to provide assistance in the form of business development with the intention of increasing DBE work on Federal Highway projects.

In conjunction with UAA Corporate Office and the Small Business Development Center. Eleven of our DBE’s met with highly experienced business advisor from the Small Business Development Center who conducted an in depth business analysis of each of our DBE’s business infrastructure that identified strengths and weaknesses.

The DBE’s then received a business profile assessment with recommendations which will serve as a blue print to measuring performance and progress.

The feedback from our DBE’s who participated have been extraordinary and welcomed with

much enthusiasm. We are please to announce that FHWA was so happy with the results that they have given us a second grant. We encourage you to participate in this valuable opportunity. The 2009 Applications will be available at the AUCP Annual Meeting—February 24, 2009 and on-line after that date.

We are delighted to bring you this service and thank FHWA for

The Recognition Ceremony was held at the Anchorage Millennium Hotel. Over 50 people were in attendance. In attendance were our special guest pictured below Commissioner Leo von Scheben, Ms, Marilyn Stewart, President AK Black Chamber of Commerce, Debbie Fowler, Associate Director



SBDC, Bruce Rowe UAA Corporate Office Manager, Jon Dunham CRO Manager and Staff. To all the AKDOT Departments who participated thank you! We could not have reached this success with out you. We look forward to round two in 2009!

SAY CHEESE!!



DBES’s Top Row Left to Right
Graham Smith Gray CO LLC,
Christina Eneix Green Earth Landworks, Terri
Lane Alaska Snow Removal, Cuatecmoc Rodri-
guez Coldfoot Environmental Services Inc, Toni
Phillip Johns Excavating Inc.

DBE;s Bottom Row Left to Right
Eddie Hakala EBSC Engineering LLC, Barbara
Cash Rim Design, Anne Powers Powerhouse Inc,
Regina Wood Platt Environmental

Not Pictured Sue Johnson Aurora Environmental
& Safety Inc.



DISPARITY STUDY RESULTS

WHERE DO WE GO FROM HERE?

ALASKA'S DISPARITY STUDY FINISHED AND AVAILABLE FOR REVIEW

For those of you that have not been to our web page recently (<http://www.dot.state.ak.us/cvlrts/index.shtml>) the Alaska Disparity Study is there for you all to read. It includes the Municipality of Anchorage and the Alaska Railroad Corporation in addition to Alaska Department of Transportation & Public Facilities (DOT&PF) and is 823 pages of heavy duty reading. The end result of the report is that we, Alaska DOT&PF, have sufficient statistical and anecdotal information to justify reinstituting project DBE goals to meet the overall annual DBE goal.

Why Did ADOT&PF Do The Study?

Some of you may remember that we forced into doing this study by a 9th Circuit Court 2005 Decision on Western States Paving, which found the Washington State DOT DBE Program unconstitutional and required a disparity study to support a DBE project goals. It also required the State DOT implement a DBE Program to be narrowly tailored, addressing discrimination by race and by gender based on the findings of a valid disparity study. Essential we had to do the study to determine if we were justified in implementing the Alaska DOT&PF DBE Program as approved by US DOT in 2000. We also had to demonstrate to FHWA, FAA, and FTA the need for a race neutral (no DBE Project Goals) program or a race conscious (implement DBE Project Goals) program.

Who Was the Consultant and What Was Reviewed

DWilson Consulting Group of Jacksonville, Florida was hired by the department to conduct the study. They review contract data from October 1, 2001 through September 31, 2006, which included federal aid construction contracts and professional service agreements. This was done by region, statewide, Alaska Railroad and Municipality of Anchorage. A statistical analysis was performed on the contracts data as well as collecting anecdotal data from prime contractors and subcontractors, DBEs and Non-DBEs. DWilson recommended new goals for FHWA, FAA and FTA federal aid contracts for DOT&PF as well as DOT&PF DBE program changes.

Legal Analysis

DWilson's legal staff prepared all relevant case law and set the basis for the disparity study, which was reviewed by the Alaska Attorney General's Office. An additional review was directed by the Governor's Office – results of which are currently confidential.

Analyses (Availability, Regression, Relevant Market Area, Utilization and Disparity)

The availability analysis predicted the number of prime contractor and subcontractor firms in a relevant market areas and the capacity for those firms to provide the services needed. This data was adjusted based on historical data. The analysis on Availability predicts the probability of winning contracts various characteristics such as race and gender. The results indicated race and/or gender were not primary predictors for successfully winning contracts or subcontracts, therefore there was no evidence of systemic discrimination based on the way DOT&PF put together its contracts.





DISPARITY STUDY RESULTS

WHERE DO WE GO FROM HERE? Continued.....

The basic determination if DBE firms were either underutilized or overutilized was based on availability for the study period and all modes (highways, airports, transit) with the finding that all groups were underutilized, with some exceptions Overall Construction findings (all modes) - all DBEs were underutilized (except for nonminority women-owned businesses doing highway construction work for Central Region only); and Overall Professional Services (all modes) - all DBEs were underutilized, except for Alaska Native Corporations on non Architectural and Engineering contracts.

Modal Analysis

The data for transit projects was not of sufficient depth (only about 0.1% of our total contract volume) to conduct a full blown study of the data so the review focused primarily on highway and airport projects for DOT&PF.

Anecdotal Data

The 9th Circuit found that the disparity studies were valid if the statistical data was support by data in the human context – the anecdotal data. Information was collected from DBEs and non DBEs through personal interviews, public hearing and telephone surveys. DWilson collected anecdotal data from Anchorage, Fairbanks and Juneau. The interviewers reported a hostile reception in Juneau by some interviewees, yet interviews were within the normal range in Anchorage and Fairbanks . They took testimony that cited specific incidents of discrimination such as Bid Shopping by prime contractors – this is an unethical and unfair business practice of using one bidders bid (whether valid or not) to convince other bidders to lower their bids. This was reported by both DBEs and non DBEs; Good Faith Efforts – this is a practice that prime contractors employ to solicit DBE participation on a project they are bidding. In these instances, many DBEs felt the prime contractors was simply going through the motions without any intention of giving them a chance to perform the contracted work; Racist and Sexist Attitudes towards women and minority contractors – this was voiced by several DBEs that there is still strong resentment towards working with them by some prime contractors. Barriers Faced by Women and Minority Contractors – the lack of a reliable source for bonding and financing for newer women and minority contractors; the presences of the “Good Old Boys Network”, a group of contractors familiar with one another and not willing to work with other, outside of their circle of known associates; the removal of DBE goals on DOT&PF has caused many DBE firms consider actually go out of business because prime contractors will no longer subcontract work that they would rather do themselves; some non DBE contractors commented that they thought the DBE Program was reverse discrimination; and many cited what they perceived to be undue favoritism towards Alaska Native Corporations.

The Recommended Highway, Airport and Transit Annual Goals for DOT&PF

FHWA – Overall 13%	FAA – Overall 13%	FTA – Overall 13%
Race neutral – 5.7%	Race neutral – 4.3%	Race neutral – 5.1%
Race conscious – 7.3%	Race conscious – 8.7%	Race conscious – 7.9%

The decisions are being made and the department should be able to make that known in January 2009. If you have any questions please call Jon Dunham, Civil Rights Manager, at 907 269 0851.



"It is inevitable that some defeat will enter even the most victorious life. The human spirit is never finished when it is defeated... it is finished when it surrenders."



DBE BUSINESS TOOLBOX

Sometimes the Email Offers are Too Good to be True – Be Aware of Scams and Inflated Offers of Assistance

The Civil Rights Office was recently contacted by a DBE firm that received an email from a firm on the East Coast of the US to “assist” them in getting their portion of the Financial Bailout for Disadvantaged Businesses. What they didn’t say is that there is no “Bailout” planned for small or disadvantaged businesses, although they imply that there will likely be one.



The email also promised assistance in helping a firm become 8A certification with the Small Business Administration by using their team of attorneys. They say that certification can be more difficult now because of regulatory changes that occurred in 2008.

When the Civil Rights Office reviewed this email, we thought the firm was appealing to the financial insecurity in the business environment. We contacted Jerry Franco with US DOT and they have not heard of this firm or of any “Bailout” planned for small or disadvantaged businesses.

While the firm is apparently legitimate, their true intent with this email is to get your business with the promise of free government money. While the firm may deliver services, it is questionable if using a team in the manner prescribed by this firm would actually yield more money or contracts for small or disadvantaged business.

We regularly get alerts from US DOT about scams and post them to our web page at

<http://www.dot.state.ak.us/cvlrts/index.shtml>

Be aware of scams and be careful with offers for assistance to access free money. By all means if you have concerns about a contact, call us and we’ll do our best to determine if it is legitimate.



HEY PRIMES!

Looking for Top Notch Subcontractors. Don’t forget to view our complete **DBE Directory** at **www.dot.state.ak.us/cvlrts**.

This listing is updated every Monday, a hard copy version of the directory, is updated every

Interested in becoming a DBE? But don’t know how.

Call us 907-269-0851/1800-770-6236 (within Alaska) and ask to speak to a Certification Officer.

Opportunities are endless....

90%

The CRO office in partnership with the Small Business Development Center (SBDC) now offers you 90% reimbursement when you sign up for any of their training courses. We know taking time from work to attend courses is a challenge. Your local SBDC now offers courses on-line to accommodate those busy work schedules.

For more information check out their complete list of courses and dates at www.aksbdc.org.

For reimbursement information contact our office at 907-269-0851 /1800-770-6236.



UPCOMING EVENTS



MARK YOUR CALENDARS!

Sixth Annual Alaska Unified Certification Program (AUCP) 2009 Business Summit /Annual Meeting

National Speaker

Adriane Escalante
Managing Diversity
"In A Safety Environment"
www.dailydoselearning.com

Sample Seminars

Weathering the Storm

Strategies for surviving and thriving in a tenuous economy

Cash Flow: Is Yours on Life Support

Financial advice from top economist and bankers (panel).

3 minutes to Fame

Effective advertising and marketing strategies for limited budgets.

FEBRUARY 24, 2009



**@ BP Alyeska Building
900 E. Benson Blvd—
Anchorage, AK 99515**

Complimentary Lunch Provided By



Corlotta Robinson
or
Norma M Lucero



907-269-4812
or
907-269-0844



Corlotta.Robinson@alaska.gov
or
Norma.Lucero@alaska.gov

The Alaska Department of Transportation & Public Facilities (AKDOT & PF) attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Organization. Alternate accessible formats will be provided upon request. For further information call Jon Dunham at 907-269-0850, e-mail at jon.dunham@alaska.gov or via Alaska Relay TTY at 1-800-770-8973.

Once again, it's almost time for the Alaska Unified Certification Program (AUCP) agencies, Disadvantaged Business Enterprises (DBE'S), and small business owners to come together for the sixth annual AUCP meeting.

The AUCP meetings provide DBE firms with information about the DBE program and a chance to meet other DBE business owners, networking and a hosted lunch by Alyeska Pipeline Company.

This is also the time for the AUCP members and the DBE's to update business information. It is critical that the Civil Rights Office have the most current and correct information at all times, so that DBE firms can be notified of upcoming training opportunities, events, and meetings.

Some of the experts invited to speak at the summit are from the Alaska Department of Labor, Research & Analysis, Alaska Department of Transportation and Public Facilities; Alaska Growth Capital; Alaska Railroad Corporation; Alaska USA Insurance Brokers; Alyeska Pipeline Services Company; Brady & Company; Denali Alaskan Federal Credit Union; Federal Aviation Administration, Municipality of Anchorage; Northrim Bank; Northwest Strategies; Procurement Technical Assistance Center of Alaska; Small Business Development Center.

For more information please check our web site: www.dot.state.ak.us/cvlrts. To make reservations, please contact: Norma.Lucero@alaska.gov (907)269-0844; or Corlotta. Robinson@alaska.gov (907)269-4812. 1-800-770-6236 (within Alaska).

Contributed by: Corlotta Robinson DBE Certification Specialist



UPCOMING EVENTS

Diversity Business Education & Lending Fair

**January 26, 2009
BP Energy Center
900 E. Benson Blvd.
9:00 am – 3:00 pm**

The Mayor's Office of Equal Opportunity, in conjunction with SBA, SCORE, Alyeska Pipeline, and Alaska Railroad invite you to participate in the Diversity Business Education & Lending Fair. This event is designed to educate small businesses about programs, goods and services that are available to assist them.

The Mayor's Office of Equal Opportunity, in conjunction with SBA, SCORE, Alyeska Pipeline, and Alaska Railroad invite you to participate in the Diversity Business Education & Lending Fair. This event is designed to educate small businesses about programs, goods and services that are available to assist them.

Alyeska Pipeline and Alaska Railroad will be conducting "matchmaking" meetings with small businesses interested in learning about contracting opportunities. Additionally, representatives from various lending institutions will be on-hand to discuss lending opportunities. Appointments are required to meet with representatives from Alyeska Pipeline, Alaska Railroad and lending institutions.

Vendor booths are available to businesses and organizations that provide programs, goods, or services for small business. Booth rental is \$100 and spaces are limited. To reserve a booth or find out more about participating in this great event, please contact Angie Podolak at 343-4897 or PodolakAC@ci.anchorage.ak.us.



WELCOME NEW DBE's



Alaska Audio Visual & Data Supply Inc

Contact: Vicki Wilson 907-696-8273
Web: www.alaskaav.com
Primary NAICS: 42344 Other Commercial Equipment
Merchant Wholesaler

ANC Research & Development LLC

Contact: Gregory P. Razo 907-265-5149
Web: www.ancrd.com
Primary NAICS: 23799 Other Heavy & Civil Engineering
Construction

NANA Pacific LLC

Contact: Joe Mathis 907-257-1750
Web: www.nanapacific.com
Primary NAICS: 541611 Administrative Management &
General Management Consulting Services

Olgoonik Technical Services LLC

Contact: David Peters 907-562-8704
Web: www.olgoonik.com
Primary NAICS: 541513 Computer Facilities Management
Services

The Right Touch

Contact: Lisa K. Walters 907-562-1535
Web: www.therighttouchak.com
Primary NAICS: 812199 Other Personal Care Services

William Fraser & CO., LLC DBA William Fraser Advertising

Contact: Julia Vea 907-677-2950
Web: www.wfadvertising.com
Primary NAICS: 54181 Advertising Agencies

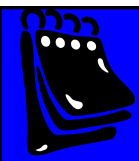


Notes & News About Certification



FIRMS WHO HAVE RECEIVED ANNUAL UPDATES

- ◆ A & D Drilling LLC Anchorage, AK
- ◆ AHTNA Construction & Primary Product Corporation Anchorage, AK
- ◆ Alaska Coastal Aggregates LLC Juneau, AK
- ◆ Alaska Contracting & Consulting Inc
- ◆ Alaska Newspapers Inc DBA CAMAI Printing Company Anchorage, AK
- ◆ Alaska Snow Removal Anchorage, AK
- ◆ Alaska Traffic Signal Supply Inc Eagle River, AK
- ◆ Albrights Commercial Floors Inc Anchorage, AK
- ◆ Amundsen Environmental Services Fairbanks, AK
- ◆ ANCOR Inc Anchorage, AK
- ◆ Architectural Hardware Supply Inc Anchorage, AK
- ◆ ASRC Constructors Inc Anchorage, AK
- ◆ Aurora Environmental * Safety Inc Anchorage, AK
- ◆ BC Contractors Inc Anchorage, AK
- ◆ Becker Trucking Fairbanks, AK
- ◆ Brooks & Associates Anchorage, AK
- ◆ C2 North LLC Anchorage, AK
- ◆ Clarus Technologies LLC Bellingham, WA
- ◆ CLI Construction Inc Cantwell, AK
- ◆ Cushman Consulting, Chugiak, AK
- ◆ D Wilson Consulting Group LLC Jacksonville, FL
- ◆ Del Norte Surveying Inc Anchorage, AK
- ◆ Durainey's Crane Services Nikiski, AK
- ◆ E Squared Consulting Corporation Ashburn VA
- ◆ Environmental Compliance Consulting Inc Anchorage, AK
- ◆ Ever Electric Inc DBA Island Electric Juneau, AK
- ◆ Exeltech Consulting Inc Lacey, WA
- ◆ Garness Engineering Group LTD Anchorage, AK
- ◆ Glacier Electric Construction Soldotna, AK
- ◆ Gordon & Associates Inc Wasilla, AK
- ◆ Gramkow Construction Inc Anchorage, AK
- ◆ Greenbusch Group Inc (THE) Seattle, WA
- ◆ Guido Perla & Associates Inc Seattle, WA
- ◆ Harai & Associates Inc Petersburg, AK
- ◆ Hoefler Consulting Group Anchorage, AK
- ◆ Hunter Sales Marshall, AK
- ◆ Interior Concrete Inc Fairbanks, AK
- ◆ JAFFA Construction Inc Moose Pass, AK
- ◆ Johns Excavating Inc Anchorage, AK



Notes & News About Certification



FIRMS WHO HAVE RECEIVED ANNUAL UPDATE THIS QUARTER

- ◆ Marsh Creek LLC Anchorage, AK
- ◆ Marshall's Electric Inc Anchorage, AK
- ◆ Microware Inc Anchorage, AK
- ◆ MMC Construction Inc Anchorage, AK
- ◆ Montgomery Consulting Group Inc Maitland, FL
- ◆ Nakuuruq Solutions LLC Anchorage, AK
- ◆ Naniq Systems LLC Anchorage, AK
- ◆ North Star Paving & Construction Inc Soldotna, AK
- ◆ Northcoast Construction Inc Nome, AK
- ◆ Northern Dame Construction Inc, Wasilla, AK
- ◆ Northern Taiga Venture Inc Fairbanks, AK
- ◆ Northwest Carpet Company LLC Chugiak, AK
- ◆ Northwind Ventures Inc. (AKA Northwind Kites Inc) Anchorage, AK
- ◆ NVL Laboratories Inc Juneau, AK
- ◆ Parks Custom LLC Palmer, AK
- ◆ Port Graham Development Corporation Palmer, AK
- ◆ Professional Conveyor South LLC Fernandina, FL
- ◆ Rampart Hydro Services Coraopolis, PA
- ◆ Raul V Bravo & Associates Inc Reston, VA
- ◆ Ridolfi Inc Seattle, WA
- ◆ SBH Services Inc Anchorage, AK
- ◆ Sealaska Environmental Services LLC Juneau, AK
- ◆ Simmons Consulting Group Inc Chicago, IL
- ◆ Skan & Associates LLC Douglas, AK
- ◆ Tec PRO LTD Anchorage, AK
- ◆ The Right Touch Anchorage, AK
- ◆ The Sourdough Mercantile Inc
- ◆ TKC Integration Services LLC Herndon, VA
- ◆ William Fraser & CO., LLC DBA William Fraser Advertising Anchorage, AK
- ◆ World Equipment Inc Anchorage, AK
- ◆ Yellowknife Construction Inc Anchorage, AK
- ◆ Yenney & Associates Construction Inc Homer, AK

CIVIL RIGHTS OFFICE STAFF

CRO Manager—Jon Dunham

Responsible for overall Civil Rights Programs implementation and reporting to Federal Highway Administration, Federal Aviation Administration, and Federal Transit Administration for Alaska Department of Transportation and Public Facilities. Overall supervision of the Civil Rights Office Staff.

Compliance Programs—

Vacant Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs. Administers the Title VI program under the Civil Rights Act of 1964. Investigates discrimination complaints. Administers department ADA Program. Directly supervises compliance program staff.

Edie Zuhaskas Performs audits of ADOT&PF programs and sub-recipients of federal assistance funds based on Title VI of the Civil Rights Act of 1964. Reviews Environmental Documents for compliance with Title VI of the Civil Rights Act of 1964 and the Environmental Justice Executive Order. Provides technical assistance, oversight, and training of ADOT&PF personnel and Federal Highway Administration sub-recipients on Title VI requirements and compliance.

Grace San Miguel Performs contract compliance reviews and enforcement of external EEO, DBE, and OJT programs.

Krystalynn Kuhns (Statistical Technician) Maintains the Civil Rights Office database and works with contractors and Federal Highway Administration and Federal Aviation Administration on numerous aspects of reporting.

DBE Certification—

Linda K Babb Administers the DBE certification program by coordinating functions between Alaska Unified Certification Program Members, DBEs, and various agencies representing minority or women owned, small and disadvantaged businesses. Oversees certification outreach, processing of DBE applications, recertifications, and annual reviews. Directly supervises DBE certification staff.

Sharon White-Wheeler Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews.

Corlotta Robinson Assists businesses with navigating the DBE certification process. Conducts outreach, validates applications and performs recertifications and annual reviews. Liaison for the Alaska Unified Certification Program.

Support Services—Norma M Lucero

Administers the DBE and OJT Support Services programs, working with contractors bidding on Alaska Department of Transportation and Public Facilities projects.

Administrative Staff—

Hazel Johnson Assists with Civil Rights Office budget, provides office support and assists with the 50% reimbursement training program.

Stephanie Moandal Handles all incoming communication with the Civil Rights Office and supports the administrative functions of the Civil Rights Office staff.

Alaska Department of Transportation and Public Facilities — Civil Rights Office

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